

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:18-CR-00059-D

UNITED STATES OF AMERICA :

v. :

ROBERT B. JERNIGAN :

FILED IN OPEN COURT

ON

11/14/2018
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

ORDER OF FORFEITURE AND
ORDER AS TO SUBSTITUTE ASSET

WHEREAS, pursuant to the Memorandum of Plea Agreement and the defendant's guilty plea to a violation of 18 U.S.C. § 1324A(a)(1)(A), the Court finds that the following property is hereby forfeitable pursuant to 18 U.S.C. § 982(a)(6), to wit: \$9,649.00, representing the value of the proceeds that he personally obtained from the offense and/or the property he used to facilitate the commission of the offense, and for which the United States may forfeit substitute assets.

It is hereby ORDERED, ADJUDGED and DECREED:

1. That pursuant to 18 U.S.C. § 982(a)(6), the defendant shall forfeit \$9,649.00 to the United States as property that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the said offense, or that is used to facilitate, or intended to be used to facilitate, the commission of the said offense.

2. That pursuant to 21 U.S.C. § 853(p), the United States

is entitled to forfeit substitute assets up to the value of the gross proceeds and/or facilitating property of the offense, that is \$9,649.00.

3. That if the Defendant tenders to the government a Certified Bank Check in the amount of \$9,649.00 and made to the order of U.S. Customs and Border Protection within thirty days from the date of entry of the guilty plea, said check shall be forfeited as a substitute asset of the Defendant in satisfaction of this Order of Forfeiture. Should this Order remain unsatisfied in whole or in part, the United States may move to amend this Order at any time to substitute other specific property pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

4. That any and all forfeited funds shall be deposited by the U.S. Department of Justice or the U.S. Department of the Treasury, as soon as located or recovered, into the U.S. Department of Justice's Assets Forfeiture Fund or the U.S. Department of the Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

5. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is DIRECTED to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B). In

accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall be final as to the defendant upon entry.

SO ORDERED. This 14 day of November, 2018.

J. Dever
JAMES C. DEVER, III
United States District Judge